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From: Marks, Matthew
Sent: Wed 2/14/2018 4:26:16 PM
Subject: Update re: Waterkeeper II FOIA litigation

Hello everyone,

I am writing to provide an update on the Waterkeeper II FOIA litigation regarding EPA's reconsideration of the Steam Electric ELGs Rule. As you may recall, back in December, the district court granted our proposed schedule and entered an ordering requiring EPA to make three interim document productions on February 28, March 31, and April 30, and a final production on May 31.

We are fast approaching the February 28 deadline, so I wanted to give everyone a preview of our plan. The first-line reviewers are currently wrapping up their review of a pool of around 1,000 documents. We will begin second-line review tomorrow of the documents that have been marked as responsive. Our intent is to have an awareness PDF of documents marked for release for your review by cob next Wednesday, 2/21. You will then have until cob the following Monday, 2/26, to provide comments. If we don't hear from you by then, we will assume you have no comments. On 2/27, we will make all necessary edits to the redactions and withholdings, and OEI will compile the production PDF. Our AUSA will provide the PDF to plaintiffs on 2/28.

Ex. 5 - Deliberative Process and Attorney Client

Please let me know if you have any questions or concerns. Thanks!

Matt

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